

IN RE: PETITION FOR SPECIAL EXCEPTION \* BEFORE THE  
N/S Taylor Ave., 155 ft. E of \* ZONING COMMISSIONER  
c/1 Ridgely Oak Road \*  
1520 Taylor Avenue \* OF BALTIMORE COUNTY  
9th Election District \* CASE No. 93-252-X  
4th Councilmanic District \*  
Paul Munson, PH.D., et al  
Petitioners \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Zoning Commissioner as a Petition for Special Exception for that property known as 1520 Taylor Avenue near the Parkville section of Baltimore County. The Petitioners seek approval for a physician's office in a D.R.5.5 zone, pursuant to Section 1801.1.C.9.B of the Baltimore County Zoning Regulations (B.C.Z.R.). The proposed special exception and subject property are more particularly shown on Petitioners' Exhibit No. 1, the site plan to accompany the Petition.

Appearing at the public hearing held for this case were the legal owners of the property, Paul Munson, PH.D. and his wife, Yu Chen, M.D. Ms. Chen is an Acupuncturist and seeks the relief requested in this case to operate her medical practice on the subject site. Also appearing on behalf of the Petition was Kenneth Wells, a property surveyor, who prepared the site plan. The Petitioners were represented by Thomas P. Dore, Esquire. Appearing in opposition to the Petition were a number of Protestants who live in the surrounding locale. These included Lou Hladky, Wayne D. Patek and John Meadowcroft.

Mr. Wells testified and presented the plan which shows that the property is roughly "T" shaped and approximately 44,000 sq. ft. in area. Although the subject property bears a Taylor Avenue address, the improvements on the property do not immediately abut Taylor Avenue. The cross of the

"T" largely consists of a panhandle gravel driveway which extends from Taylor Avenue to an existing two story brick and frame structure. This structure is located on the stem of the "T" and serves as both the residence of the Petitioners and is also the proposed location of Dr. Chen's office. Mr. Wells fully described the property and noted that the existing driveway varies in paving width from 10 to 15 feet and is located on a 30 foot right of way. The Petitioner proposes to improve this driveway to accommodate the traffic which will be generated by the proposed medical office. Mr. Wells also noted that, pursuant to the regulations, the proposed medical office will not occupy more than 25% of the total floor area of the residence. Specifically, he calculated the office space to 15.9% of the total area of the structure.

Dr. Chen also testified extensively as to the proposed office. She noted that the property was acquired by her and her husband, jointly, in November of 1992. The property serves as her residence. She noted that the structure is a significantly sized dwelling and contains six bedrooms.

Dr. Chen also discussed her medical qualifications and proposed office use. She is schooled in both western medicine and traditional Chinese techniques. That is, she is both an M.D. and an Acupuncturist. She produced a copy of her license to practice acupuncture in the State of Maryland and a number of other national certifications. As to the practice, she stated that she will see approximately 5 to 10 patients per day. It is anticipated that the total treatment time for each patient will not exceed one hour and fifteen minutes. She described briefly the treatment provided by an acupuncturist and noted that such treatment produces a minuscule volume of medical waste. She proposed a plan to dispose any medical waste through special arrangements with Baltimore County to prevent the possibi-

-2-

ly of contaminated waste finding its way into the community. She also noted that her proposed hours of operation are from 9:00 A.M. to 6:00 P.M., Monday through Friday and approximately from 9:00 A.M. to 12:00 noon on Sunday. As to employees, there are none presently proposed. However, Dr. Chen noted that she would observe the requirements set forth in the regulations regarding the permissible number of both non-resident professional and non-professional employees.

As noted above, Wayne D. Patek who resides next door also appeared and testified. He opposes the subject Petition. He fears an increase of traffic and parking congestion in the subject location and observed that the driveway is in need of repair and can barely accommodate existing residential traffic, much less additional traffic which would be generated by the medical practice.

Mr. Lou Hladky, President of the Hillendale Park Community Association also testified. He, likewise, is concerned with traffic and parking in the area. He also voiced concerns over the possibility of an increased volume of crime in the event a physician's office is located on this property. He also is unconvinced that adequate provisions have been made for the disposal of medical waste and supplies. His concerns were echoed by John Meadowcroft, the past President of the community association.

In addition to the testimony offered by the above witnesses, additional evidence was submitted into the case file. It is to be noted that a Petition was circulated in the neighborhood opposing the "rezoning of the residential property located at 1520 Taylor Avenue." Although the signers of this Petition no doubt misunderstand the nature of this case, their support of the Petition is consistent with the live testimony presented. That is, this case is not about the rezoning of the property; rather, wheth-

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er a use permitted by a special exception should be allowed. Many of the comments contained in the Petition were echoed in the testimony of the witnesses. Also, comments were received from the Zoning Plans Advisory Committee. Within same the Office of Planning and Zoning recommends denial of the project. However, if same is granted, certain restrictions are proposed. These include restrictions suggested by the Bureau of Traffic Engineering for Baltimore County.

Consideration of this case is, indeed, difficult. It is clear that Dr. Chen's occupation is that of a physician. That is, although her practice does not employ western medical techniques, it is nonetheless an accepted medical profession. Further, her credentials are impressive. Therefore, it is clear that the B.C.Z.R. permits this proposed use by special exception, pursuant to Section 1801.1.C.9.B. Therefore, it must be determined whether the conditions set forth by Section 502.1 are satisfied by the Petitioner.

It should also be observed that a special exception is part of the comprehensive zoning plan and thereby is cloaked with the presumption that it is in the interest of the general welfare and, therefore, valid. See generally, Rockville Fuel and Feed Company, Inc., v. Board of Appeals of the City of Gaithersburg, 257 Md. 183, 262 A.2d 499 (1970) and Montgomery County v. Morlands Club, Inc., 202 Md. 279, 96 A.2d 261 (1954). Thus, the proposed use should be permitted if the Petitioner presents persuasive testimony that the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. are met.

It is also to be noted that the special exception should be granted unless the evidence presented is convincing that the proposed use at this particular location would have an adverse impact above and beyond those

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effects inherently associated with such a use irrespective of its location within the zone. See Schultz v. Pritts, 291 Md. 1, 432 A2d 1319 (1981). Therefore, there must be some adverse impact caused by this use which is unique to the particular parcel involved.

As to the medical waste waste issue or potential increase in crime, I am persuaded that the Petitioners have met their burden. I am convinced that the proposed use will cause no adverse impact in these respects and that proper safeguards have been taken.

However, the potential traffic/parking increase is another issue. Section 502.1 of the B.C.Z.R. lists a number of considerations which must be evaluated before a special exception can be granted. Section 502.1.B provides that a special exception cannot be approved if the use will "tend to create congestion in roads, streets or alleys therein." In applying this standard to the subject case, I am convinced that a unique detriment will result if the special exception were to be granted.

Specifically, the location and means of access to the improvements on this property are unusual. Unlike the majority of other properties in the zone, the proposed office is nestled deep within the residential community and access is by way of a panhandle drive which transects a number of dwelling lots. That is, the structure does not immediately adjoin a public roadway. Even with the proposed improvements to the driveway, I am not convinced that this means of access is sufficient to accommodate the traffic and parking demands which will result from this medical practice. Further, although appreciative of Dr. Chen's estimate of the number of patients who will visit this site daily, logic dictates that the practice may expand. Further, any control of patient numbers by way of a zoning restriction within the granting of the special exception would be difficult

to enforce. Further, it is clear that the Petitioners acquired the property, in part, for the purpose of using same for Dr. Chen's office. With the scarcity of medical specialists of this type in the metropolitan area, as well as Dr. Chen's impeccable reputation and qualifications, it can be expected that this office could be far busier than is envisioned.

Thus, for the foregoing reasons, I am persuaded that the Petition for Special Exception must be denied and will so order.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 19th day of April, 1993 that the Petition for Special Exception for approval for a physician's office in a D.R.5.5 zone, pursuant to Section 1801.1.C.9.B of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioners' Exhibit No. 1, be and is hereby DENIED.

LES:mmn

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

ORDER RECEIVED FOR FILING  
Date 4/19/93  
By Mr. Dore

-6-

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

April 15, 1993

Thomas P. Dore, Esquire  
Covey and Boozer  
614 Bosley Avenue  
Towson, Maryland 21204

RE: Petition for Special Exception  
Case No. 93-252-X  
Paul Munson, PH.D. and Yu Chen, M.D., Petitioners

Dear Mr. Dore:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception has been denied, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmn

ALL

cc: Kenneth J. Wells, Inc., P.O. Box 28436, Balto, Md.  
cc: Mr. Lou Hladky, 8300 Oakleigh Road, Balto, Md. 21234  
cc: Mr. Wayne D. Patek, 7918 Uniastord Road, Balto, Md. 21234

## Petition for Special Exception

1520 Taylor Ave  
to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for A PHYSICIAN'S OFFICE IN A D.R. 5.5 ZONE PURSUANT TO SECTION 1801.1.C. 9B

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

THOMAS P. DORE, ESQUIRE

(Type or Print Name)

Signature

614 BOSLEY AVENUE

Address

TOWSON, MARYLAND 21204

City and State

Attorney's Telephone No.: (410) 828-9441

Legal Owner(s):

PAUL MUNSON

(Type or Print Name)

Signature

YU CHEN, M.D. (Chinese Name)

(Type or Print Name)

Signature

1520 TAYLOR AVENUE

Address

BALTIMORE, MARYLAND 21234

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

PAUL MUNSON

Name

304 Westwood Dr.

Address

Phone No.



ESTIMATED LENGTH OF HEARING - 1/2HR. (1HR.)

AVAILABLE FOR HEARING

MON., TUES., WED. - MEET TWO MONTHS

ALL OTHER

REVISIT BY: CC DATE 1/24/93

**KENNETH J. WELLS, INC.**  
Land Planners and Surveyors

Telephone: (410) 665-3242  
Teletypewriter: (410) 665-3655

7902 Belair Road  
Baltimore, Md. 21236

**93-252-X**  
January 15, 1993

**ZONING DESCRIPTION**

Beginning at a point on the north side of Taylor Avenue (40 feet wide) at the distance of 154.95 feet easterly from the centerline of Ridgely Oak Road (40 feet wide) as measured along the north side of Taylor Avenue. Thence the following courses and distances: 1) North 68 degrees 41 minutes 00 seconds West 34.38 feet 2) North 28 degrees 44 minutes 50 seconds East 162.67 feet; 3) North 33 degrees 11 minutes 10 seconds East 79.08 feet; 4) North 24 degrees 24 minutes 24 seconds East 101.45 feet; 5) North 15 degrees 31 minutes 20 seconds East 75.01 feet; 6) North 75 degrees 18 minutes 00 seconds West 11.00 feet; 7) North 28 degrees 14 minutes East 102.70 feet; 8) North 28 degrees 15 minutes 00 seconds East 180.01 feet; 9) South 75 degrees 18 minutes 00 seconds East 6.24 feet; 10) South 68 degrees 41 minutes 00 seconds East 54.29 feet; 11) South 28 degrees 15 minutes 00 seconds West 176.25 feet; 12) South 68 degrees 45 minutes 40 seconds East 159.47 feet; 13) South 21 degrees 19 minutes 00 seconds West 70.00 feet; 14) South 68 degrees 41 minutes 00 seconds East 150.00 feet; 15) South 21 degrees 19 minutes 00 seconds West 5.00 feet; 16) North 68 degrees 41 minutes 00 seconds West 318.59 feet; 17) South 28 degrees 15 minutes 00 seconds West 48.26 feet to the place of beginning as recorded in Deeds Liber 6740, Folio 580, and Liber 7371, Folio 676.



255

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: PA Date of Posting: 2/1/93  
Posted for: Special Exception  
Petitioner: Paul Munsen & Yu Chen  
Location of property: N. Taylor Ave., 155' E of Ridgely Oak Rd.  
Location of Sign: Facing road, at corner of driveway leading to property of Petitioner  
Remarks: \_\_\_\_\_  
Posted by: [Signature] Date of return: 2/1/93  
Number of Signs: 1

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 2/11/93

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/11/93

THE JEFFERSONIAN,

S. Zeke Orlow  
Publisher

\$71.73

Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

Account: R-001-6150

Number

Date

**93-252-X**

THAWSON CHECKBOOK \$300.00  
Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

DATE: 2-17-93

Paul Munsen, Ph.D. and Yu Chen, M.D.  
1520 Taylor Avenue  
Baltimore, Maryland 21204

RE: CASE NUMBER: 93-252-X (Item 255)  
N/S Taylor Avenue, 155' E of c/l Ridgely Oak Road  
1520 Taylor Avenue  
9th Election District - 4th Councilmanic  
Legal Owner(s): Paul Munsen, Ph.D. and Yu Chen, M.D.  
HEARING: WEDNESDAY, MARCH 3, 1993 at 2:30 p.m. in Rm. 118, Old Courthouse.

Dear Petitioner(s):

Please be advised that \$ 71.73 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

Carl Jablon

ARNOLD JABLON  
DIRECTOR

cc: Thomas P. Dore, Esq.

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Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

FEB 04 1993

(410) 887-3353

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-252-X (Item 255)  
N/S Taylor Avenue, 155' E of c/l Ridgely Oak Road  
1520 Taylor Avenue  
9th Election District - 4th Councilmanic  
Legal Owner(s): Paul Munsen, Ph.D. and Yu Chen, M.D.  
HEARING: WEDNESDAY, MARCH 3, 1993 at 2:30 p.m. in Rm. 118, Old Courthouse.

Special Exception for a physician's office in a D.R. 5.5 zone.

Carl Jablon

ARNOLD JABLON  
Director

cc: Paul Munsen, Ph.D. and Yu Chen, M.D.  
Thomas P. Dore, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

February 24, 1993

(410) 887-3353

Thomas P. Dore, Esquire  
614 Bosley Avenue  
Towson, Maryland 21204

RE: Case No. 93-252-X, Item No. 255  
Petitioner: Paul Munsen, Ph.D. and Yu Chen, M.D.  
Petition for Special Exception

Dear Mr. Dorn:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on January 26, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

**BALTIMORE COUNTY, MARYLAND  
INTER OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director DATE: February 11, 1993  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Developers Engineering Division

RE: Zoning Advisory Committee Meeting  
for February 16, 1993  
Item No. 255

The Developers Engineering Division has reviewed the subject zoning item. If the Special Exception is granted, the parking areas should be buffered from adjacent residences.

RWB:DAK:s

SHA Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No. 93-252-X

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

John Contestabile  
John Contestabile, Chief  
Engineering Access Permits  
Division

My telephone number is 410-333-1350

Teletypewriter for impaired hearing or speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

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BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: February 18, 1993

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: February 8, 1993

ITEM NUMBER: 255

1. The minimum access width is 16 ft.
2. It is recommended that the proposed parking area and driveway be paved.
3. ADU features should be shown on the plan. This site will yield 40 trips per day.

*Rahee J. Famili*  
Rahee J. Famili  
Traffic Engineer II

255-2AC

Baltimore County Government  
Fire Department



700 East Joppa Road, Suite 901  
Towson, MD 21286-5500

FEBRUARY 18, 1993

(410) 887-1500

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: PAUL MUNSEN, PR.D. & YE CHEN, M.D. (CHINA)

Location: #1520 TAYLOR AVENUE

Item No.: +255 (LJG) Zoning Agenda: FEBRUARY 8, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *[Signature]* Noted and Approved *[Signature]*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JE/KEK



93-252-X 3-3-93

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

DATE: February 19, 1993

SUBJECT: Munson Property

INFORMATION:

Item Number: 255

Petitioner: Paul Munson/Yu Chen, M.D.

Property Size: \_\_\_\_\_

Zoning: D.R. 5.5

Requested Action: Special Exception

Hearing Date: \_\_\_\_\_

SUMMARY OF RECOMMENDATIONS:

The proposed Special Exception for a physician's office in a D.R. 5.5 zone is located within an area designated as a Community Conservation area in the Baltimore County Master Plan 1989-2000.

The site is served by a panhandle of approximately 450' in length and is surrounded by a stable community of older single family residences. Due to the remote location of the dwelling, and its distance from Taylor Avenue and any commercial zoning, the proposed Special Exception does not appear to be an appropriate land use at this location and would be detrimental to the character of the area. Therefore, this office recommends that the subject request be denied.

In the event that the Zoning Commissioner should grant the proposed Special Exception, the following issues should be addressed in the form of conditions:

1. The office should not occupy more than 25% of the total floor area of the physician's principal residence and should not employ more than one non-resident associate and two other non-resident employees.
2. The physician should be licensed to practice within the State of Maryland.
3. Hours of operation should be limited to standard business hours, no evening hours after 8:00 p.m.
4. Screening in the form of a wood stockade fence should be provided around the parking area.

255-2AC/2AC1

Pg. 1

5. A sign detail for the one square foot sign at Taylor Avenue should be provided, preferably for a non-illuminated sign.
6. A lighting detail should be provided for any parking lot lighting; lighting should be directed away from any adjacent residences and should be no higher than 12'.
7. The driveway should be repaired so that the potholes of standing water are eliminated.
8. Remove the note - medical clinic.

Prepared by: *[Signature]*  
Division Chief: *[Signature]*  
PK/JL:lw

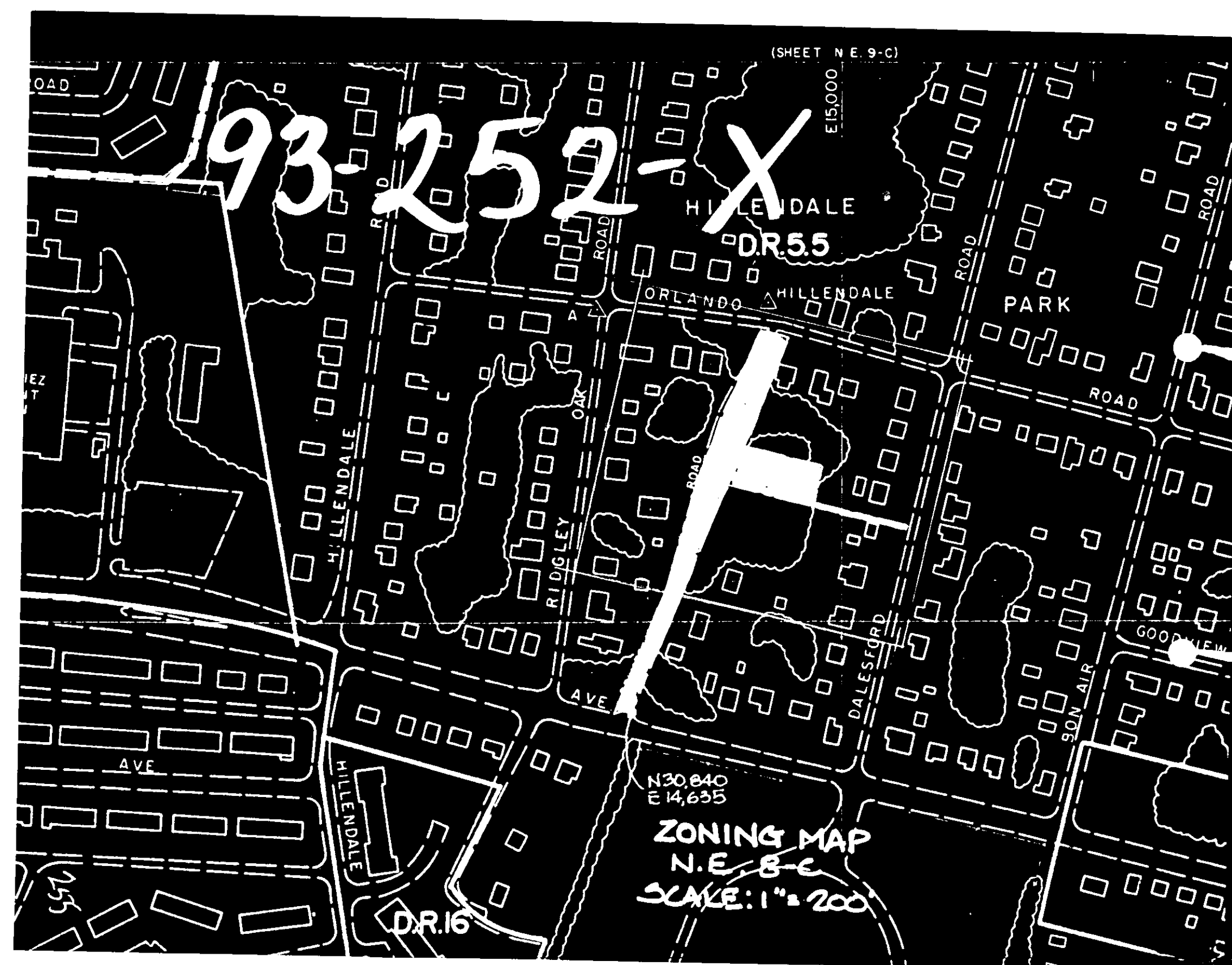
255-2AC/2AC1

Pg. 2

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
copy - Lou HADOKY	2300 OAKLEIGH RD
copy - John HADOKY	8118 RIDGELY CR RD
copy - Wayne D. Patek	7918 Dalesford Rd
Dorothy Patek	7918 Dalesford Rd
Dean Patrawicz	7914 Dalesford Rd
Edward Patrawicz	7914 Dalesford Rd
Jeannette Shent	8118 Oakleigh Rd
William SHEPK	8118 OAKLEIGH RD
Leslie HADOKY	1532 Taylor Ave
Mr. Patek	1532 Taylor Avenue
Helen Vlach	7918 Dalesford Rd
Jeannette Black	1514 Taylor Ave



February 27, 1993

I am against the rezoning of the Residential property located at 1520 Taylor Ave., to Commerical property. I'm concerned about the amount of traffic that will be generated on this unpaved lane.

I'm also concerned about the type of Doctor's office that will be located on the premise. There are small children living on both sides of the lane and the concern of the disposal of medical waste is raised.

Therefore, the expressed concerns of traffic increase and medical waste disposal need to be addressed and discussed with the residents of the adjoining properties, before granting the rezoning request.

[illegible]

**Towson - Loch Raven Community Council, Inc.**  
**P.O. Box 27682**  
**Towson, Maryland 21285-7682**

March 2, 1993

Zoning Commissioner  
Baltimore County Government  
Office of Planning & Zoning  
Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

RE: Case #93-252-X  
Item 255

Dear Sir:

The Towson-Lock Raven Community Council, Inc. (TLRCC), is an umbrella organization composed of 11 neighborhood associations and one community service group. We represent over 5,500 households in central Baltimore County.

The purpose of this letter is to respond to a request from Paul Munson & his wife, Yu Chen, for a special exception for a physician's office in a residential home located at 1520 Taylor Avenue.

TLRCC was not aware of this petition for Special Exception until the latter part of February, which is explained later. Since our next monthly meeting is not scheduled until March 8th, I am issuing an advisory letter as a result of my telephone discussions with a member of the Hill Country Park Community Association and based on my experience as president of TLRCC since 1992. I have which included eight local issues during the 1992 Comprehensive Zoning process.

My first comment concerns the posting of a notice for this hearing. Neither John Meadowcroft (Hillendale Park resident) or I was able to locate the required posted notice. TLRC's ability to adequately and formally respond to the petition was hindered since we were not given timely notice of this petition.

My second comment is that 1520 Taylor Ave. is **NEAR** the Taylor Avenue commercial corridor, about 200 to 300 feet off Taylor Avenue, in a residential area, facing **AWAY** from Taylor Avenue. Granting the petitioner's request for a physician's office would have an adverse impact on the existing residential area. It would increase the amount of traffic using the drive driveway, which is shared by other residences and it would be the first step in commercializing an existing residential area which is not in the public interest. I strongly urge that the petition for a special exception be denied.

**KENNETH J. WELLS, INC.**  
Land Planners and Surveyors

Telephone: (410) 685-3242  
Telecopier: (410) 685-3656

7802 Belair Road  
Baltimore, Md. 21224

### FLOOR AREA CALCULATIONS

Basement Level . . . . . 2,346 sq. ft.

First Floor Level: . . . . . 2,304 sq. ft.

Second Floor Level . . . . . 855 sq. ft.

Total . 5,505 sq. ft.

Proposed Office Space . . . . . 874 sq. ft.

Percentage of Office to Total Area =  $874/5,505 \times 100 = 15.9$

**FEDERAL BUREAU OF INVESTIGATION**  
**U. S. DEPARTMENT OF JUSTICE**  
**MEMPHIS, TENNESSEE**  
**EXHIBIT 163**

**PETITIONER'S  
EXHIBIT** No 6

**Dear Neighbor:**

My husband and I recently purchased the property at 1520 Taylor Ave. as our new residence. One of the reasons we purchased this large home was in hope of using a portion of the floor as an office for my acupuncture practice. In this effort, I have filed an application for a Special Hearing with the Zoning Commissioner of Baltimore County seeking approval to have a Physicians Office in my home. My practice will involve treating approximately 20 patients per day. I do not believe that this will have any negative economic and as such I would ask for your support in this effort. If you have any questions please contact me or my attorney, Thomas P. Dore . Mr. Dore can be reached at (410) 828-9441 and I may be reached at (914) 949-1321.

If you do not have any questions or objections to my request I would ask that you sign below and note your address where indicated. Thankyou for your assistance and I look forward to seeing you in the neighborhood.

Very Truly Yours,

I have no objection to the approval of the request of Dr. Chen.

Name: Tim & Cathy Markland

Address: 7911 Ridgely Oak Rd.

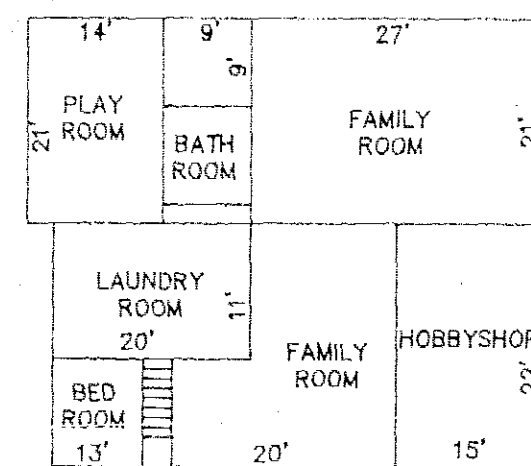
Dear Dad Chen:

welcome to the neighborhood. We love  
your practice flourishes and is successful.  
We look forward to meeting you in  
person and offer our assistance in  
anything you may need.

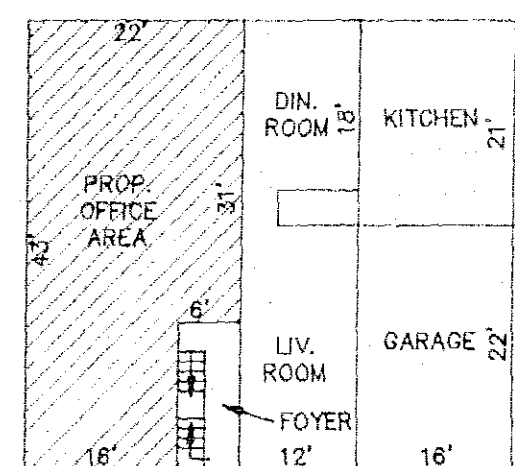
p.5. we have 2 children  
Tim - 17 years old and  
Megan - 4 years old

Sincerely,  
Tami Cathy

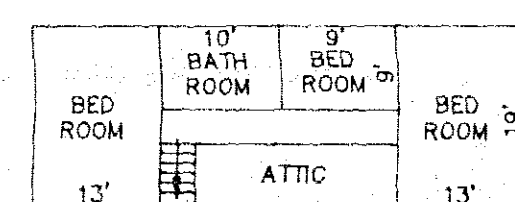




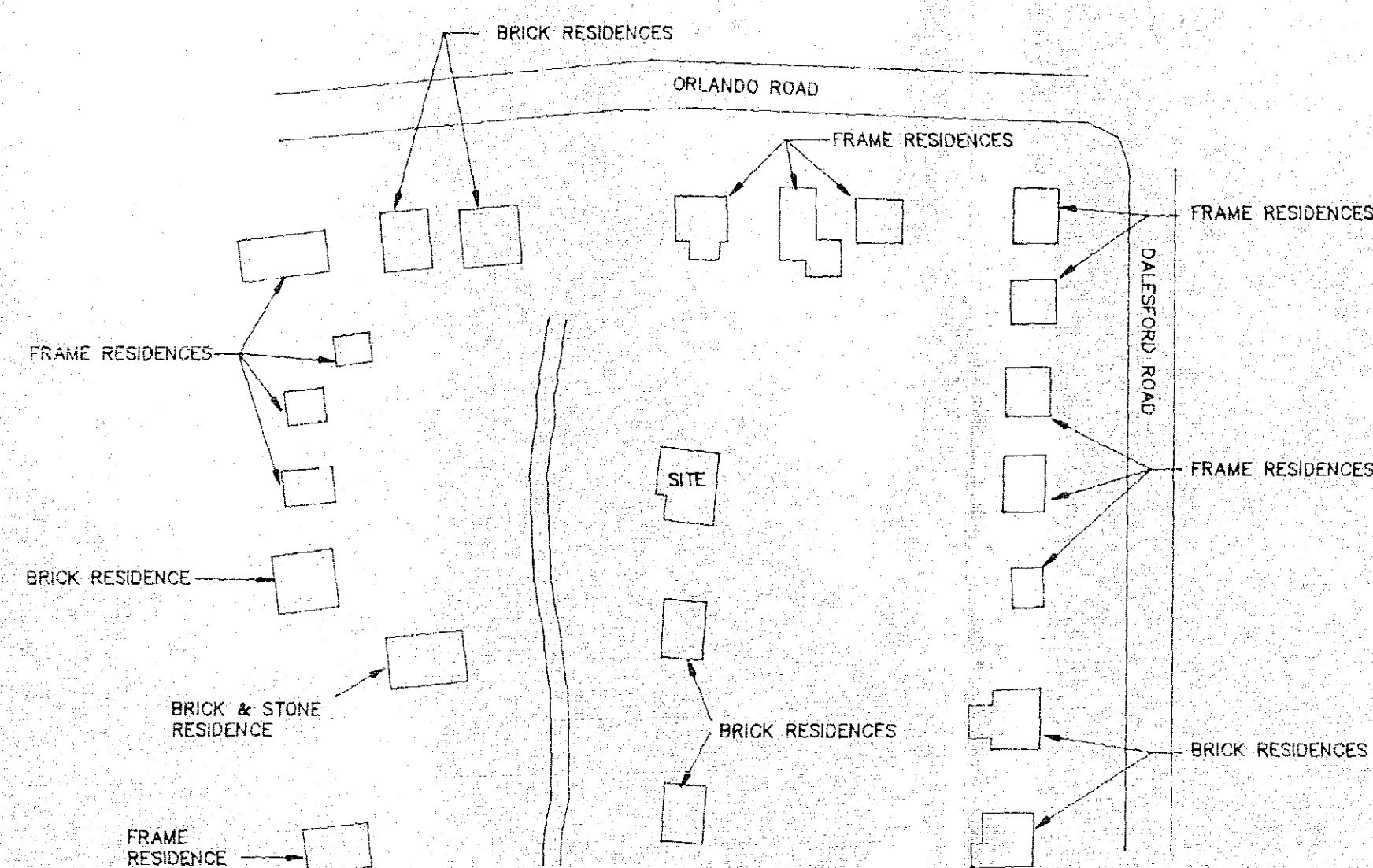
BASEMENT FLOOR PLAN  
SCALE: 1" = 20'



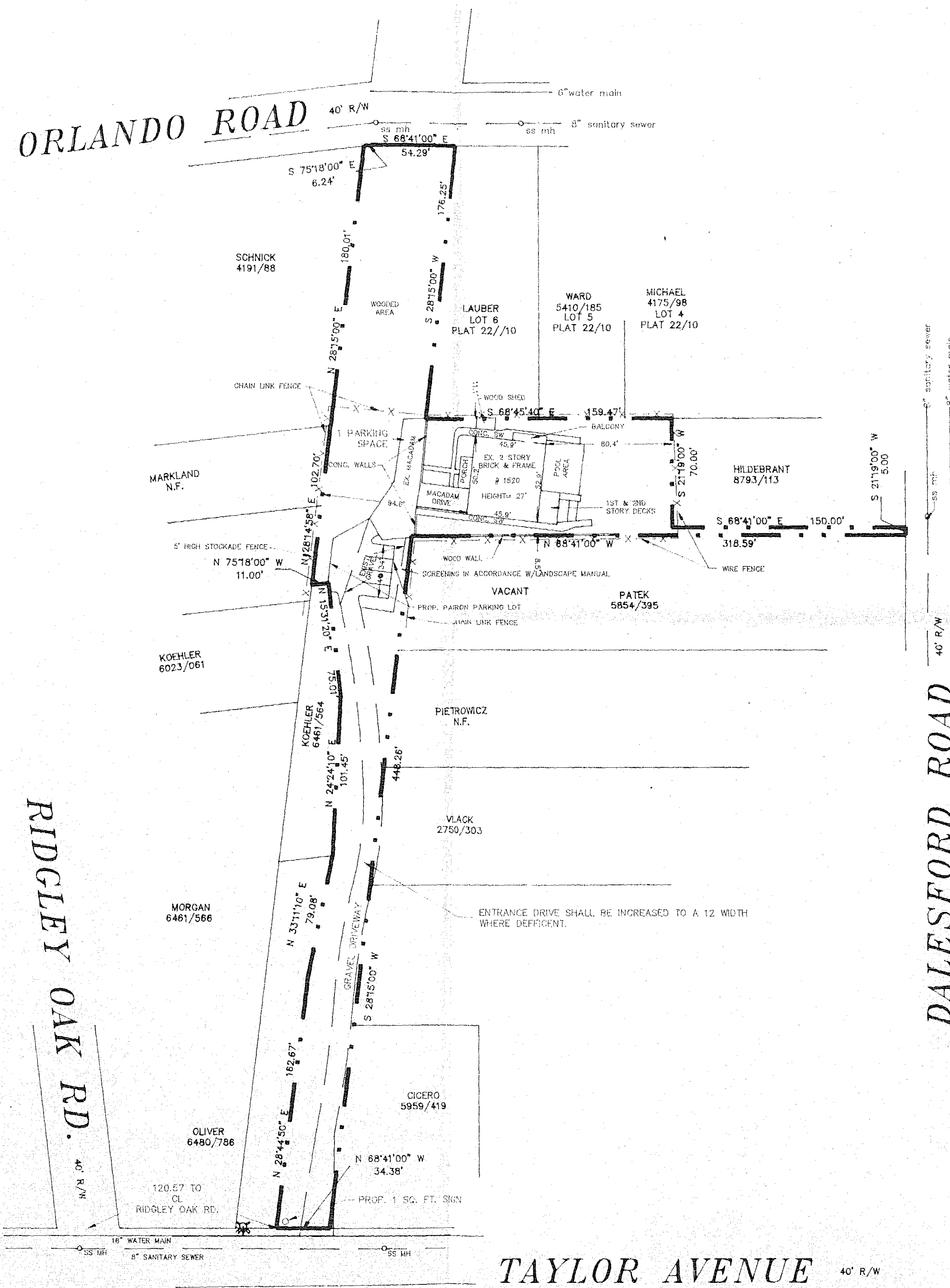
FIRST FLOOR PLAN  
SCALE: 1" = 20'



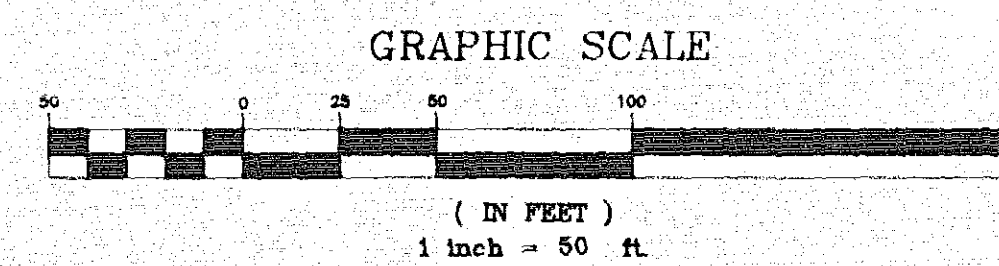
SECOND FLOOR PLAN  
SCALE: 1" = 20'



USE AND STRUCTURE MAP  
SCALE: 1" = 100'

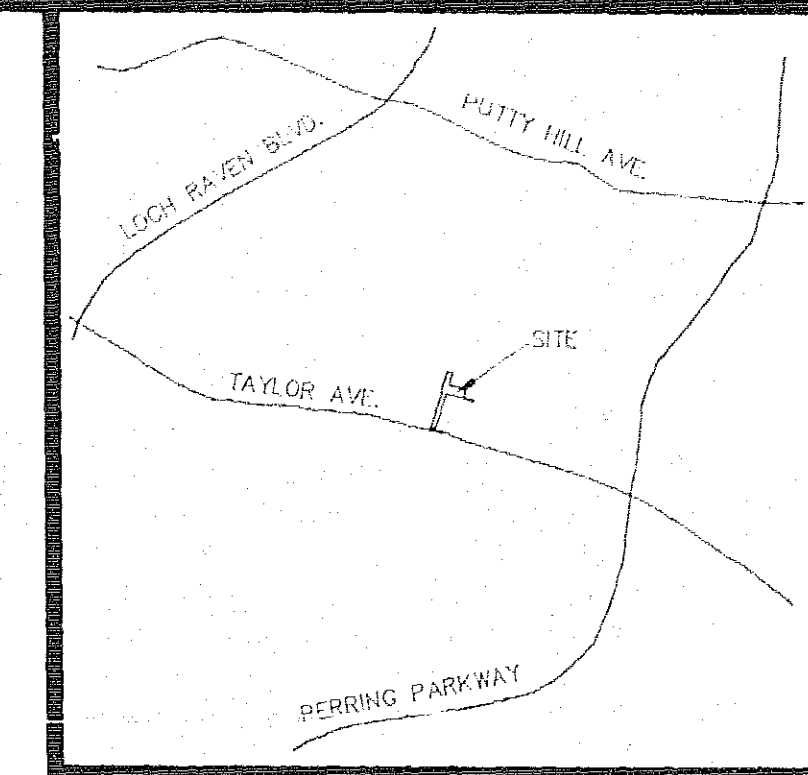


TAYLOR AVENUE 40' R/W



# LEGEND:

1" FIRE HYDRANT  
SS MH SANITARY SEWER MANHOLE



VICINITY MAP  
SCALE: 1" = 1000'

## NOTES:

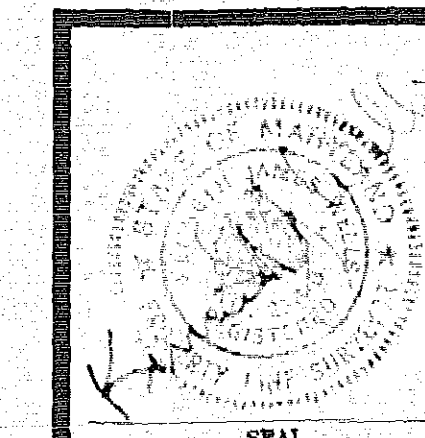
- 1) CURRENT OWNER: PAUL MUNSEN, M.D.
- 2) OWNER'S ADDRESS: 1520 TAYLOR AVE. PARKVILLE, MARYLAND 21234
- 3) OWNER'S TELEPHONE NO.: NOT AVAILABLE
- 4) APPLICANT'S NAME: PAUL MUNSEN, M.D.
- 5) APPLICANT'S ADDRESS: 1520 TAYLOR AVENUE BALTIMORE, MD. 21224
- 6) DEED REFERENCE: 6740/580, 7371/676 (NEW DEED NOT AVAILABLE)
- 7) PLAT REFERENCE: HILLENDALE PARK 9/010
- 8) TAX ACCOUNT NOS.: 1900002293, 0902007890, 19000112163
- 9) GROSS AREA: 43,732 SQ. FT.
- 10) TYPE OF BUSINESS: HOME OCCUPATION (MEDICAL CLINIC)
- 11) ELECTION DISTRICT: 9th
- 12) COUNCILMANIC DISTRICT: 4th
- 13) CONUSUS TRACT: 4815
- 14) WATERSHED: 50
- 15) SUBDIVISION: 22
- 16) PARKING SPACES REQUIRED: MEDICAL CLINIC: 874/1000 X 4.5 = 3.9 SPACES RESIDENTIAL: 2 SPACES
- 17) PARKING SPACES PROPOSED: 6 (6.5' X 18') SPACES GARAGE CONSTITUTES 1 PARKING SPACE
- 18) F.A.R. ALLOWED: N/A
- 19) F.A.R. = N/A
- 20) A.O.S. = NONE REQUIRED
- 21) PREVIOUS ZONING HEARINGS: NONE
- 22) PREVIOUS COMMERCIAL PERMITS: NONE
- 23) PREVIOUS WAIVERS: NONE
- 24) ZONING IS: D.U.-S-5
- 25) FLOOR AREA FOR PROFESSIONAL USE: 874 SQ. FT.

93-252-X

PLAT TO ACCOMPANY AN  
APPLICATION FOR  
SPECIAL EXCEPTION  
~ for the ~  
MUNSEN PROPERTY

AT 1520 TAYLOR AVENUE  
BALTIMORE COUNTY, MARYLAND  
SCALE: 1" = 50' DATE: 1/14/93

MICROFILMED



KJW

KENNETH J. WELLS, INC.

P.O. BOX 28436  
BALTIMORE, MARYLAND  
(301) 665 - 3242

LAND PLANNERS AND SURVEYORS